

# CITY OF CEDAR PARK COUNCIL RULES AND PROCEDURES

## Chapter 1: Meetings, Work Sessions, and Retreats

1.1 Regular Meetings. Regular meetings of the City Council will be held on the second and fourth Thursdays of each month, except as specifically modified by the City Council, and will generally commence at 6:30 pm. Regular meetings of the City Council may be held at such other times as may be necessary or beneficial. Public notice of all regular meetings of the City Council shall be given as required by the Texas Open Meetings Act, Section 551.001 *et seq.* of the Government Code.

1.2 Special Meetings. Special meetings of the City Council shall be held on such dates and at such times as called by the Mayor or, in his/her absence, the Mayor Pro Tem. Public notice of all special meetings of the City Council shall be given as required by the Texas Open Meetings Act, Section 551.001 *et seq.* of the Government Code.

1.3 Council Work Sessions. The City Council may hold work sessions as needed. The City Council work sessions will be held on such dates and times as called by the Mayor, or in his absence, the Mayor Pro Tem. Public notice of all City Council work sessions shall be given as required by the Texas Open Meetings Act, Section 551.001 *et seq.* of the Government Code.

1.4 Council Retreats. The City Council may generally hold retreats annually in lieu of City Council work sessions. The City Council retreats will be held on such dates and times as called by the Mayor, or in his absence, the Mayor Pro Tem. Public notice of all City Council retreats shall be given as required by the Texas Open Meetings Act, Section 551.001 *et seq.* of the Government Code.

1.5 Joint Meetings. The City Council may hold a joint meeting with each board, commission, and task force appointed by the City Council when a specific item(s) requires the combined efforts of the City Council and the board, commission, or task force. Public notice of all joint meetings shall be given as required by the Texas Open Meetings Act, Section 551.001 *et seq.* of the Government Code.

## Chapter 2: Agenda

2.1 Preparation of the Agenda. The Mayor or, in his/her absence, the Mayor Pro Tem is responsible to prepare or ensure the preparation of the agenda for each meeting, work session, or retreat.

2.2 Agenda Categories for Council Meetings: For each Council meeting, the agenda may contain any of the following categories:

- (a) Call to order;

- (b) Roll;
- (c) Invocation and Pledges of Allegiance;
- (d) Approval of Minutes;
- (e) Citizen Communications;
- (f) Mayor and Council Opening Comments;
- (g) Announcements and Proclamations;
- (h) Board, Commission, and Task Force Reports;
- (i) Council Committee Reports;
- (j) City Manager's Report;
- (k) Consent Agenda;
- (l) Second Reading and Possible Action on Ordinances;
- (m) First Reading and Public Hearing on Ordinances;
- (n) Consideration and Possible Action on Resolutions;
- (o) Discussion and Staff Presentations;
- (p) Executive Session;
- (q) Possible Action on Executive Session Matters;
- (r) Mayor and Council Closing Comments; and
- (s) Adjournment.

The categories listed above are demonstrative and are not meant or intended to be exclusive.

2.3 Consent Agenda. All second readings and resolutions shall presumptively be placed on the consent agenda. Any item on the consent agenda shall be removed at the request of a single Councilmember. A request for removal from the consent agenda may be made prior to the Consent Agenda being called for action. Any item removed from the consent agenda shall be considered as a separate action item at the meeting on which such item appears on the consent agenda.

2.4 Placement of Agenda Items by Councilmember. Any Councilmember may request the placement of any item on an upcoming agenda which will be honored within a reasonable time. Any agenda item so requested shall bear the requesting Councilmember's name on each occasion at which the item appears on the agenda. A Councilmember may request the placement of any item on the agenda (a) during Mayor and Council opening comments or Mayor and Council closing comments, or (b) in writing directed to the Mayor and distributed to the City Council.

2.5 Public Availability of Agenda. In addition to the requirements of the Texas Open Meetings Act, Section 551.001 *et seq.* of the Government Code, the City Council agenda and supporting materials, excluding exempt materials, shall be made available to any member of the public who requests same. However, any member of the public requesting the City Council agenda and supporting materials, excluding exempt materials, shall pay all costs associated with the reproduction of the City Council agenda and/or supporting materials, excluding exempt materials, in accordance with the standards established by the General Services Commission. A copy of the packet distributed to the City Council prior to a regular or special meeting, excluding exempt materials, shall be made available to the public in the Cedar Park Public Library. To the extent practicable, the City Council agenda and packet materials, excluding exempt materials, shall also be made available to the public on the City's internet website.

2.6 Description of Certain Agenda Items. For each agenda item requiring consideration and/or action by the City Council, excluding items on the executive session agenda, the agenda shall (i) reflect a brief substantive description of the matter for consideration and/or action, (ii) identify the staff resource person(s) responsible for the item, and (iii) if appropriate, provide a staff recommendation for action.

### Chapter 3: Conduct of Meetings

3.1 Chair. The Mayor or, in his/her absence, the Mayor Pro Tem shall preside over and conduct all Council meetings.

3.2 Rules of Procedure. The City Council shall determine its own rules of procedure, voting, and order of business except that, upon the request of any member, the most current form of Roberts Rules of Order shall be followed for the designated item before the Council. (Ordinance G20-06-04-13-3A) Members of the City Council shall confine their discussions concerning a motion or a question to the merits of a motion made and seconded or to a question already presented to them. Council members will show respect and courtesy to fellow Council members, the public and staff in the conduct of a Council meeting and will refrain from making disparaging comments about the motives or character of a fellow Council member the public and staff.

3.3 Parliamentarian. The City Attorney shall serve as parliamentarian for the City Council, who shall construe all applicable procedural rules liberally, and serve as Sergeant at Arms in conjunction with any police representative present.

3.4 Presentation by Applicant. With the exception of the consent agenda, the applicant for any item involving possible City Council action may make a presentation at the outset of a public hearing or before consideration of a possible action item. Such presentation shall be concise and non-repetitive.

3.5 Presentation by City Staff. With the exception of the consent agenda, City staff may make any presentation necessary for a public hearing or before consideration of a possible action item. Such presentation shall be concise and non-repetitive.

3.6 Written Presentation by City Staff. For each ordinance, resolution, and action item presented to the City Council, the following materials shall be provided to the City Council: (a) a written recommendation for action by City staff; (b) a written approval as to form of the ordinance or contract by the City Attorney.

3.7 Public Presentation. After any presentation by the City staff, an applicant or other member of the public who desires to address the City Council during a public hearing may do so, provided that (a) he/she limits such presentation to three (3) minutes, and (b) he/she fills out and delivers to the City Secretary a registration card listing the agenda item to be discussed prior to addressing the City Council. If feasible, the registered speakers will be grouped into those in favor of the application and those opposed. Once a public hearing is closed there shall be no

further citizen communication on that item without the unanimous consent of the City Council members present. In addition, a member of the public, upon the unanimous consent of the City Council members present, may speak to any agenda item requiring Council action for three minutes upon filling out a registration card.

3.8 Citizen Communications. Any member of the public who desires to address the City Council during citizen communications may do so, provided that (a) he/she limits such presentation to three (3) minutes, and (b) he/she fills out and delivers to the City Secretary a registration card identifying the topic on which he/she desires to address the City Council.

3.9 Registration Card. The registration card referred to in Rules 3.7 and 3.8 shall include the following information: (a) full name; (b) business or residential address; (c) business or residential telephone number; (d) representation; (e) agenda item or topic; (f) brief statement of position [e.g. for or against an agenda item or summary of communication].

3.10 Expansion of Time for Public Presentation and Citizen Communications. The three minute limitation imposed by Rule 3.7 and Rule 3.8 may be extended one time per speaker for one minute upon the unanimous consent of the City Council members present. The giving or transferring of a person's three minutes to another is prohibited.

3.11 Time Keeper. The City Attorney and/or the City Staff shall serve as time keeper for any public presentation made to the City Council.

3.12 Repetitive Presentations. The Chair may deny any presenter the opportunity to address the City Council if the presentation made or offered is repetitive of a presentation previously made.

3.13 Call of Agenda Items. The City Secretary shall call each agenda item by number or short caption only. It is not necessary for the City Secretary to call an agenda item by its complete caption or title.

3.14 No Vote on First Reading. The City Council shall not vote on any first reading. The Chair shall allow discussion by the City Council of any item on first reading in order to provide direction to staff. The City Council may consider motions to amend, modify, or clarify any item on first reading.

3.15 Council Vote. The City Secretary shall maintain, and the minutes shall reflect, the votes made by the City Council in open meeting.

(a) Consent Agenda. The City Council shall vote on the Consent Agenda by voice vote or by show of hands as directed by the Chair.

(b) Separate Action Items. All votes shall be by voice vote or by show of hands, unless a motion for a division of the assembly is approved by the City Council. In the event of a division of the assembly, the City Secretary shall poll the City Council as directed by the Chair.

3.16 Executive Session; Certified Agenda. All executive sessions shall be recorded by certified agenda in conformity with Section 551.101 et seq. of the Government Code.

#### Chapter 4: Appointments

4.1 Mayor Pro Tem. The Mayor shall designate the Mayor Pro Tem.

4.2 Boards, Commissions, and Task Forces. No person shall serve on more than one board, commission, or task force appointed by the City Council, and no current Councilmember shall serve on any board, commission, or task force; however, this prohibition shall not apply to ad hoc, special purpose, or blue ribbon committees appointed by the City Council from time to time, shall not prohibit Council's joint appointment of any two (2) or more boards, commissions, or task forces in their entirety, and shall not prohibit a Councilmember's concurrent service as director for reinvestment zones established by the City. Annually, each board, commission, or task force appointed by the City Council shall be responsible for selecting its chairperson, vice chairperson, and secretary following regular appointments to such board, commission, or task force. Annually, the Mayor may appoint an interim chairperson for each board, commission, or task force until each board, commission, or task force selects its officers. (4.10.14)

#### 4.3 Appointments By Council

(A) Except as otherwise provided herein this Code of Ordinances or by statute, each board, commission, and committee shall consist of seven (7) members. For each board, commission, and committee, each position shall be randomly assigned a permanent place designation from one (1) to the total number of positions on that board, commission, or committee, and the member for each position shall, once such position becomes vacant, be appointed by the Council member holding the corresponding place designation on the Council at the time of the appointment.

(B) For a board, commission, or committee with more than seven (7) members, a member for the first seven (7) positions shall be appointed in accordance with subsection (A), above; a member for every eighth (8<sup>th</sup>) position shall be appointed by the Mayor once such position becomes vacant; and positions 9 - 15 shall be appointed by the Council members in order of their place designation, i.e. the Council member for Place 3 shall appoint positions 3, 11, and 19 (and so on) for each board, commission, or committee.

(C) For a board, commission, or committee with fewer than seven (7) members, a member for each position shall be appointed by motion and order by any Councilmember and approved by an affirmative vote by a majority of the Council.

(D) For the Civil Service Commission, each member shall be appointed by the City Manager and then confirmed by Council, in accordance with Section 143.006 of the Texas Local Government Code, as amended.

(E) All appointments of board, commission, and committee members shall require approval by an affirmative vote by a majority of the Council.

(F) All board, commission or committee members will serve at the pleasure of the City Council and may be removed at any time by an affirmative vote by the majority of the Council.

(G) Each board, commission or committee member will acquaint themselves with the City Council's Strategic Map and vision for the City. If appointed each board, commission or committee member, by accepting such appointment, will agree to support the Strategic Map and the Council's vision, goals and objectives for the City in their appointed role. (Added by Ordinance Number G07-10-11-04-C5)

4.4 Procedure for Appointment. Applicants will be notified by the City Secretary when they should appear for interviews with the City Council. During a regularly scheduled or special meeting of the City Council, the City Council may hold public interviews for each prospective appointment to a board, commission, or task force. Prospective appointments to a board, commission, and task force shall be discussed in open session prior to consideration of the appointment by the City Council. All applicants will be notified of the selected appointment to the board, commission, or task force in writing by the City Secretary within five business days of the appointment. (Amended and renumbered by Ordinance Number G07-10-11-04-C5)

4.5 Nepotism. No person related within the second degree by affinity or the third degree by consanguinity to any member of the City Council or the City Manager shall serve on any board, commission, or task force appointed by the City Council, including an *ad hoc*, special purpose, or blue ribbon committee appointed by the City Council from time to time.

## Chapter 5: Meetings of Commissions, Boards, and Task Forces

5.1 Regular Meetings. Each commission, board, or task force appointed or authorized by the City Council shall establish a regular meeting time; however, this requirement shall not require the establishment of a regular meeting time for the Civil Service Commission, Zoning Board of Adjustment, Sign Control Board, Building and Standards Commission, or any other board, commission, or task force which convenes solely upon request of an applicant or to consider certain matters as they may arise. The City Secretary shall have the responsibility to maintain and coordinate a central calendar for such commissions, boards, and task forces. Public notice of all regular meetings of such commissions, boards, and task forces shall be given as required by the Texas Open Meetings Act, Section 551.001 *et seq.* of the Government Code. (4.10.14)

5.2 Special Meetings. Each commission, board, or task force appointed or authorized by the City Council may hold special meetings on such dates and at such times as called by the chairperson or, in his/her absence, the vice chairperson of the commission, board, or task force. Public notice of all special meetings shall be given as required by the Texas Open Meetings Act, Section 551.001 *et seq.* of the Government Code.

5.3 Work Sessions. Each commission, board, or task force appointed or authorized by the City Council may hold work sessions on such dates and at such times as may be necessary or

beneficial. Public notice of such work sessions shall be given as required by the Texas Open Meetings Act, Section 551.001 *et seq.* of the Government Code.

5.4 Retreats. The City Council, and each commission, board, or task force appointed or authorized by the City Council, may hold retreats on such dates and at such times as may be necessary or beneficial. Public notice of such retreats shall be given as required by the Texas Open Meetings Act, Section 551.001 *et seq.* of the Government Code. (4.10.14)

5.5 Joint Meetings. Each commission, board, or task force appointed or authorized by the City Council may hold joint meetings with the City Council or other boards, commissions, and task forces on such dates and at such times as may be necessary or beneficial. Public notice of all joint meetings shall be given as required by the Texas Open Meetings Act, Section 551.001 *et seq.* of the Government Code.

5.6 Location of Meetings and Work Sessions. All regular meetings, special meetings, joint meetings, and work sessions of the commissions, boards, and task forces appointed or authorized by the City Council shall be held at 6:30 p.m. in the Cedar Park City Council Chambers, unless the Chairman (a) determines that an irresolvable scheduling conflict exists in the use of the Cedar Park City Council Chambers; and (b) promptly notifies the commission, board or task force members, interested parties, and public of the alternate location. In the case of an irresolvable scheduling conflict, the regular meeting, special meeting, joint meeting, or work session shall be held at the Cedar Park City Hall, Public Library, or Recreation Center. This provision shall not apply to retreats. (4.10.14)

5.7 Delivery of Minutes to City Secretary. Each commission, board, or task force appointed or authorized by the City Council shall deliver to the City Secretary all approved minutes of regular meetings, special meetings, joint meetings, work sessions, and retreats within forty-five (45) days after such regular meeting, special meeting, joint meeting, work session, and retreat.

5.8 Rules of Procedure. Each commission, board, or task force appointed or authorized by the City Council shall adopt rules of procedure as may be necessary or beneficial, provided that the City Council shall review and approve such rules of procedure before such rules take effect.

5.9 Reports to the City Council. The chairperson, or delegated member, of each board, commission, and task force may report to the City Council on the activities of the board, commission, or task force at the next regularly scheduled City Council meeting following action of the board, commission, or task force.

5.10 Policy Directives and Liaison. The City Council is ultimately responsible for the establishment of City's policies. Therefore, each commission, board, or task force appointed or authorized by the City Council must be cognizant of the City Council's primary responsibility to establish, approve, disapprove, or modify the City's policies. Each commission, board, or task force appointed or authorized by the City Council shall ensure that any policy directive initiated by such commission, board, or task force is reported to and approved by the City Council before issuance of any such policy directive.